

NO. 24518

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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JANE DOE, Petitioner,

vs.

THE HONORABLE EDEN E. HIFO, JUDGE OF THE CIRCUIT COURT OF THE FIRST CIRCUIT, STATE OF HAWAI'I; THE DEPARTMENT OF THE ATTORNEY GENERAL OF THE STATE OF HAWAI'I; and GROSVENOR CENTER ASSOCIATES, a Hawai'i Partnership; GROSVENOR INTERNATIONAL (HAWAII) LIMITED, a Hawai'i Corporation; GRC PROPERTIES, INC., a Delaware Corporation; SAFEGUARD SERVICES, INC., a Hawai'i Corporation, Respondents.

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ORIGINAL PROCEEDING  
(CIV. NO. 95-4221-11)

ORDER

(By: Moon, C.J., Levinson, Nakayama,  
Ramil, and Acoba, JJ.)

Upon consideration of Petitioner Jane Doe's petition for a writ of mandamus, the papers in support and opposition, and the records and files herein, it appears that: (1) Petitioner is seeking an order directing the circuit court to enter a final judgment in Doe v. Grosvenor Center Associates, Civil No. 95-422, pursuant to Jenkins v. Cades Schutte Fleming & Wright, 76 Hawai'i 115, 869 P.2d 1334 (1994); (2) the circuit court refused to enter a judgment because Petitioner filed an earlier appeal, docketed as Appeal No. 22488, that was dismissed; (3) this court takes judicial notice of its own files and notes that there was no jurisdiction for the earlier appeal because there was an outstanding cross-claim and the circuit court did not certify the judgment being appealed as final pursuant to HRCP Rule 54(b); (4) inasmuch as the underlying case was not finally resolved until the circuit court entered an order dismissing the cross-claim on

March 21, 2001, the circuit court should have granted Petitioner's request for entry of a final judgment in accordance with Jenkins v. Cades Schutte Fleming & Wright, 76 Hawai'i 115, 869 P.2d 1334 (1994). Therefore,

IT IS HEREBY ORDERED that the petition for a writ of mandamus is granted. The circuit court shall forthwith enter a final judgment that complies with Jenkins v. Cades Schutte Fleming & Wright, 76 Hawai'i 115, 869 P.2d 1334 (1994).

DATED: Honolulu, Hawai'i, April 8, 2002.